

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**UNITED STATES OF AMERICA,**  
*Plaintiff*

**v.**

**(1) ABRAHAM YUSUFF,**  
*Defendant*

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**No. 1:23-CR-00043-RP**

**ORDER**

Before the Court is the U.S. Pretrial Services Office's Petition for Action on Conditions of Pretrial Release, Dkt. 209. In accordance with the Federal Rules of Criminal Procedure and 18 U.S.C. § 3148, a hearing was held on the petition on December 5, 2023.

Following his arrest and initial detention, the Court released Defendant Abraham Yusuff on conditions set out in an Order Setting Conditions of Release. Dkt. 91. The Court subsequently modified that order to permit Yusuff to travel throughout the State of Texas for business and employment purposes and to replace his curfew condition with a condition imposing stand-alone GPS monitoring. Dkt. 137. The present petition alleges that Yusuff violated condition 7(g), which states that he must "avoid by the following restrictions on person who is or may be a victim or witness in the investigation or prosecution, including ... all co-defendants." Dkt. 209. The petition goes on to allege that Yusuff violated this condition by making multiple attempts to contact two of his co-defendants. *Id.* At the hearing on the petition, the

Government presented documentary and testimonial evidence supporting each of the improper contacts alleged in the petition.

Having considered the original pretrial services report, the docket, the petition, the evidence presented, and the arguments of counsel, the Court concludes that there is clear and convincing evidence that Yusuff knowingly violated the terms and conditions of his pretrial release.

The Court also finds that based on the factors set forth in Title 18, United States Code § 3142(g), there is no condition or combination of conditions of release that will assure (a) the defendant will not flee or pose a danger to the safety of any other person or the community, and (b) the defendant is unlikely to abide by any condition or combination of conditions of release.

The Court therefore **ORDERS** that Yusuff's previous release on conditions is **REVOKED** and Yusuff be **DETAINED** pending further proceedings in this case.

#### **DIRECTIONS REGARDING DETENTION**

The defendant is committed to the custody of the Attorney General or the Attorney General's designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SIGNED December 7, 2023.

A handwritten signature in blue ink, appearing to read 'D. Howell', is written over a horizontal line.

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DUSTIN M. HOWELL  
UNITED STATES MAGISTRATE JUDGE